

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 314

Introduced by Louden, 49; Carlson, 38; Christensen, 44; Erdman, 47;
Kopplin, 3;

Read first time January 11, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to water; to amend sections 46-601.01
2 and 46-1212, Reissue Revised Statutes of Nebraska; to
3 redefine water well for purposes of registration of
4 water wells; to harmonize provisions; and to repeal the
5 original sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-601.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 46-601.01 For purposes of Chapter 46, article 6:

4 ~~(1)~~ (1)(a) Water well means any excavation that is
5 drilled, cored, bored, washed, driven, dug, jetted, or otherwise
6 constructed for the purpose of exploring for ground water,
7 monitoring ground water, utilizing the geothermal properties of
8 the ground, obtaining hydrogeologic information, or extracting
9 water from or injecting fluid as defined in section 81-1502 into
10 the underground water reservoir.

11 (b) Water well includes any excavation made for any
12 purpose if ground water flows into the excavation under natural
13 pressure and a pump or other device is placed in the excavation
14 for the purpose of withdrawing water from the excavation for
15 irrigation. For such excavations, construction means placing a pump
16 or other device into the excavation for the purpose of withdrawing
17 water for irrigation.

18 (c) Water well does not include any excavation made for
19 obtaining or prospecting for oil or natural gas or for inserting
20 media to repressure oil or natural gas bearing formations regulated
21 by the Nebraska Oil and Gas Conservation Commission; and

22 (2) Common carrier means any carrier of water including a
23 pipe, canal, ditch, or other means of piping or adjoining water for
24 irrigation purposes.

25 Sec. 2. Section 46-1212, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 46-1212 Water well shall mean any excavation that is
3 drilled, cored, bored, washed, driven, dug, jetted, or otherwise
4 constructed for the purpose of exploring for ground water,
5 monitoring ground water, utilizing the geothermal properties of
6 the ground, obtaining hydrogeologic information, or extracting
7 water from or injecting fluid as defined in section 81-1502 into
8 the underground water reservoir. Water well shall not include
9 any excavation (1) made for obtaining or prospecting for oil or
10 natural gas or for inserting media to repressure oil or natural
11 gas bearing formations regulated by the Nebraska Oil and Gas
12 Conservation Commission or (2) described in subdivision (1)(b) of
13 section 46-601.01.

14 Sec. 3. Original sections 46-601.01 and 46-1212, Reissue
15 Revised Statutes of Nebraska, are repealed.